

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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MANUEL WILLIAMS,

Plaintiff,

v.

Case No. 08-CV-577

DR HEIDORN, CYNTHIA THORPE,  
and DR SALIENE,

Defendants.

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**ORDER**

Before the court is the plaintiff's motion to compel discovery in which he requests that the court compel defendants to produce all inmate complaints filed at Green Bay Correctional Institution and Columbia Correctional Institution related to this lawsuit. The plaintiff asserts that he previously requested these documents from the defendants, and that he needs them so he can prove he exhausted his administrative remedies in the event the defendants assert non-exhaustion as an affirmative defense.

According to the defendants, they previously responded to the plaintiff's discovery request with copies of all of his offender complaints they believe are related to this case. In addition, the defendants "stipulate that Williams did exhaust all administrative remedies provided by the Wisconsin Department of Corrections for the claims he asserts in this case." (Defs.' Resp. at 1-2.)

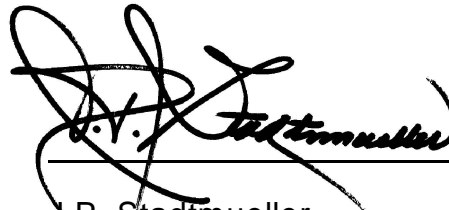
The Federal Rules of Civil Procedure provide that, “[p]arties may obtain discovery regarding any nonprivileged matter that is relevant to any party’s claim or defense – including the existence, description, nature, custody, condition, and location of any documents or other tangible things and the identity and location of persons who know of any discoverable matter.” Fed. R. Civ. P. 26(b)(1). A party may move for an order compelling discovery – such motion must include a certification that the movant has in good faith conferred or attempted to confer with the party failing to make discovery in an effort to obtain it without court action. Fed. R. Civ. P. 37(a)(1).

In this case, the defendants assert they provided the plaintiff with all inmate complaints relevant to his claims. Moreover, they stipulate that the plaintiff did exhaust his administrative remedies. Therefore, there is no need to provide the plaintiff with new copies of the offender complaints he requested. Accordingly,

**IT IS ORDERED** that the plaintiff’s motion to compel discovery (Docket #66) be and the same is hereby **DENIED**.

Dated at Milwaukee, Wisconsin, this 21st day of October, 2010.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", written over a horizontal line.

J.P. Stadtmueller  
U.S. District Judge